

UNITED STATES BANKRUPTCY COURT
DISTRICT OF

In re:	§	
	§	
ELLER, RYAN J	§	Case No. 12-52872
	§	
Debtor(s)	§	

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter of the United States Bankruptcy Code was filed on
 . The undersigned trustee was appointed on .

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

Payments made under an interim
disbursement
Administrative expenses
Bank service fees
Other payments to creditors
Non-estate funds paid to 3rd Parties
Exemptions paid to the debtor
Other payments to the debtor

Leaving a balance on hand of¹ \$

The remaining funds are available for distribution.

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was _____ and the deadline for filing governmental claims was _____. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ _____. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ _____ as interim compensation and now requests a sum of \$ _____, for a total compensation of \$ _____². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ _____, and now requests reimbursement for expenses of \$ _____, for total expenses of \$ _____².

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: _____ By: /s/ W. Donald Gieseke, Trustee
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

FORM 1

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

ASSET CASES

Page: 1

Exhibit A

Case No: 12-52872 BTB Judge: Bruce T. Beesley
Case Name: ELLER, RYAN J

Trustee Name: W. Donald Gieseke, Trustee

Date Filed (f) or Converted (c): 12/26/12 (f)

341(a) Meeting Date: 01/31/13

Claims Bar Date: 02/21/14

For Period Ending: 04/08/14

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. CASH ON HAND	5.00	0.00		0.00	FA
2. COMERICA BANK CHECKING ACCT#...0260	0.00	0.00		0.00	FA
3. WELLS FARGO CHECKING ACCT#...4124	201.12	0.00		0.00	FA
4. RESIDENTIAL LEASE DEPOSIT	1,200.00	0.00		0.00	FA
5. HOUSEHOLD GOODS - FURNITURE, ELECTRONICS, KNICK-KN	2,500.00	0.00		0.00	FA
6. BOOKS, PICTURES & OTHER ART	500.00	0.00		0.00	FA
7. WEARING APPAREL	500.00	0.00		0.00	FA
8. JEWELRY	100.00	0.00		0.00	FA
9. .40 CAL HAND GUN	200.00	0.00		0.00	FA
10. 25% INTEREST IN ELLERPHUND CAPITAL II, LLC *NO VAL TRUSTEE COLLECTED ON UNPAID MANAGEMENT FEES DUE TO THE LLC.	0.00	2,500.00		2,500.00	FA
11. 25% INTEREST IN ELLERPHUND CAPITAL III, LLC *NO VA TRUSTEE COLLECTED ON UNPAID MANAGEMENT FEES DUE TO THE LLC.	0.00	2,500.00		2,500.00	FA
12. 25% INTEREST IN ELLERPHUND CAPITAL IV, LLC TRUSTEE COLLECTED ON UNPAID MANAGEMENT FEES DUE TO THE LLC.	0.00	2,500.00		2,500.00	FA
13. 25% INTEREST IN ELLERPHUND CAPITAL, LLC *NO VALUE TRUSTEE COLLECTED ON UNPAID MANAGEMENT FEES DUE TO THE LLC.	0.00	2,500.00		2,500.00	FA
14. 25% INTEREST IN SPROTELL, LLC *NO VALUE	0.00	0.00		0.00	FA
15. 33% INTEREST IN ELLERTOW, LP *NO VALUE	0.00	0.00		0.00	FA
16. 33% INTEREST IN ENCORE BENEFITS, LLC *NO VALUE	0.00	0.00		0.00	FA
17. 42.5% INTEREST IN FLY PAPER, INC *NO VALUE	0.00	0.00		0.00	FA
18. MELLOW FELLOW RESTAURANT & BAR *BEER & WINE	0.00	0.00		0.00	FA

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page: 2
Exhibit A

Case No: 12-52872 BTB Judge: Bruce T. Beesley
Case Name: ELLER, RYAN J

Trustee Name: W. Donald Gieseke, Trustee
Date Filed (f) or Converted (c): 12/26/12 (f)
341(a) Meeting Date: 01/31/13
Claims Bar Date: 02/21/14

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
LICENS					
19. PROMISSORY NOTE GIVEN TO DEBTOR FROM WE SAVE, INC	0.00	0.00		0.00	FA
20. 2010 IRS TAX REFUND DUE IN THE AMOUNT OF \$9,000.00 DEBTOR OWES \$14.1K IN 2010 TAXES.	0.00	0.00		0.00	FA
21. LAWSUIT HAS BEEN FILED BY ELLERTOW, LP AGAINST BUY	0.00	0.00		0.00	FA
22. 2012 JEEP GRAND CHEROKEE WITH 10,200 MILES *GOOD C	38,771.00	0.00		0.00	FA
23. PETS: 1 BEAGLE 2 MIXED-BREED DOGS	75.00	0.00		0.00	FA

				Gross Value of Remaining Assets	
TOTALS (Excluding Unknown Values)	\$44,052.12	\$10,000.00		\$10,000.00	\$0.00
					(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

2-1-13 - TRUSTEE HAS REQUESTED A COPY OF THE DEBTORS 2012 TAX RETURN TO DETERMINE IF ANY NON EXEMPTED 2012 TAX REFUND IS DUE TO THE ESTATE.

3-14-13 - TRUSTEE IS INVESTIGATING ALL FINANCIALS FOR ALL COMPANIES TO DETERMINE IF ANY NON EXEMPTED ASSETS ARE DUE TO THE ESTATE.

3-14-13 - TRUSTEE HAS REQUESTED EXECUTED OPERATING AGREEMENTS FOR ALL LLC'S OF THE DEBTOR.

3-30-13 THRU 10-25-13 - TRUSTEE IS IN THE PROCESS OF NEGOTIATING A OWNERSHIP/MANAGEMENT FEE FOR ASSETS NUMBERED 10, 11, 12 & 13 - COMPROMISE IS CURRENTLY BEING WRITTEN AND COMPROMISE MOTION WILL BE SUBMITTED TO THE COURT FOR APPROVAL.

FORM 1

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

ASSET CASES

Page: 3

Exhibit A

Case No: 12-52872 BTB Judge: Bruce T. Beesley
Case Name: ELLER, RYAN J

Trustee Name: W. Donald Gieseke, Trustee
Date Filed (f) or Converted (c): 12/26/12 (f)
341(a) Meeting Date: 01/31/13
Claims Bar Date: 02/21/14

1-9-14 - TRUSTEE COLLECTED ON UNPAID MANAGEMENT FEES DUE TO THE LLC. REFER TO ASSETS #10, 11, 12 AND #13.

Initial Projected Date of Final Report (TFR): / /

Current Projected Date of Final Report (TFR): / /

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1

Exhibit B

Case No: 12-52872 -BTB
Case Name: ELLER, RYAN J

Trustee Name: W. Donald Gieseke, Trustee
Bank Name: UNION BANK
Account Number / CD #: *****7365 Checking Account (Non-Interest Earn

Taxpayer ID No: *****9474

For Period Ending: 04/08/14

Blanket Bond (per case limit): \$ 5,000,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
01/09/14	* NOTE *	KASEY SHILDMYER PO BOX 4149 INCLINE VILLAGE, NV 89450	BALANCE FORWARD ELLERFUND LLC MGMT FEES OWED * NOTE * Properties 10, 11, 12, 13	1121-000	10,000.00		0.00 10,000.00
02/25/14		UNION BANK	BANK SERVICE FEE	2600-000		15.00	9,985.00
03/25/14		UNION BANK	BANK SERVICE FEE	2600-000		15.00	9,970.00

COLUMN TOTALS 10,000.00 30.00 9,970.00

Less: Bank Transfers/CD's 0.00 0.00

Subtotal 10,000.00 30.00

Less: Payments to Debtors 0.00

Net 10,000.00 30.00

TOTAL - ALL ACCOUNTS

NET DEPOSITS NET DISBURSEMENTS ACCOUNT BALANCE

Checking Account (Non-Interest Earn - *****7365 10,000.00 30.00 9,970.00

10,000.00 30.00 9,970.00

(Excludes Account Transfers) (Excludes Payments To Debtors) Total Funds On Hand

Page Subtotals 10,000.00 30.00

Page 1

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Date: April 08, 2014

Case Number: 12-52872 Claim Class Sequence
 Debtor Name: ELLER, RYAN J

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000006A 040 5800-00	Internal Revenue Service P.O. BOX 7317 Philadelphia, PA 19101-7317	Priority		\$230,449.26	\$0.00	\$230,449.26
000001 070 7100-00	Portfolio Recovery Associates, LLC POB 12914 Norfolk, VA 23541	Unsecured		\$992.26	\$0.00	\$992.26
000002 070 7100-00	AMERICAN EXPRESS CENTURION BANK C/O BECKET AND LEE LLP POB 3001 MALVERN PA 19355-0701	Unsecured		\$2,118.49	\$0.00	\$2,118.49
000003 070 7100-00	Compass Bank P.O. Box 10566 Birmingham AL 35296	Unsecured		\$9,982.03	\$0.00	\$9,982.03
000004 070 7100-00	CAPITAL ONE, N.A. BASS & ASSOCIATES, P.C. 3936 E. FT. LOWELL ROAD, SUITE #200 TUCSON, AZ 85712	Unsecured		\$1,151.29	\$0.00	\$1,151.29
000005 070 7100-00	TCF Equipment Finance Inc 11100 Wayzata Blvd #801 Minnetonka, MN 55305	Unsecured		\$66,539.25	\$0.00	\$66,539.25
000007 070 7100-00	Mike Harrison 4847 W Northwest Hwy Dallas, TX 75220	Unsecured		\$116,045.69	\$0.00	\$116,045.69
000008 070 7100-00	TD Retail Card Services c/o Creditors Bankruptcy Service P.O. Box 740933 Dallas, TX 75374	Unsecured		\$6,630.51	\$0.00	\$6,630.51
Case Totals:				\$433,908.78	\$0.00	\$433,908.78

Code #: Trustee's Claim Number, Priority Code, Claim Type

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 12-52872

Case Name: ELLER, RYAN J

Trustee Name: W. Donald Gieseke, Trustee

Balance on hand \$

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: W. Donald Gieseke, Trustee	\$	\$	\$
Trustee Expenses: W. Donald Gieseke, Trustee	\$	\$	\$

Total to be paid for chapter 7 administrative expenses \$

Remaining Balance \$

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000006A	Internal Revenue Service	\$	\$	\$

Total to be paid to priority creditors \$ _____

Remaining Balance \$ _____

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ _____ have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be _____ percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	Portfolio Recovery Associates, LLC	\$ _____	\$ _____	\$ _____
000002	AMERICAN EXPRESS CENTURION BANK	\$ _____	\$ _____	\$ _____
000003	Compass Bank	\$ _____	\$ _____	\$ _____
000004	CAPITAL ONE, N.A.	\$ _____	\$ _____	\$ _____
000005	TCF Equipment Finance Inc	\$ _____	\$ _____	\$ _____
000007	Mike Harrison	\$ _____	\$ _____	\$ _____
000008	TD Retail Card Services	\$ _____	\$ _____	\$ _____

Total to be paid to timely general unsecured creditors \$ _____

Remaining Balance \$ _____

Tardily filed claims of general (unsecured) creditors totaling \$ _____ have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be _____ percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE